

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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:
In re REFCO INC. SECURITIES LITIGATION : Case No. 07-MD-1902 (JSR)
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This document relates to:

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KENNETH M. KRYS, *et al.*, : Case No. 08-cv-3065 (JSR)
: Case No. 08-cv-3086 (JSR)
Plaintiffs, :
:
-against- :
:
CHRISTOPHER SUGRUE, *et al.*, :
:
Defendants. :
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**ORDER REGARDING CONSOLIDATION OF SUGRUE ACTIONS IN MANNER
MOST APPROPRIATE TO CLERK'S ADMINISTRATION OF MDL PROCEEDING**

RONALD J. HEDGES, Special Master:

Whereas, *Krys, et al. v. Sugrue, et al.*, No. 600653/2008 (the “Sugrue State-Court Action”) was commenced in New York Supreme Court, New York County on or about March 5, 2008; and

Whereas, The Sugrue State-Court Action was removed to the Southern District of New York by a single defendant on or about March 26, 2008 thereby commencing *Krys, et al. v. Sugrue, et al.*, No. 08-cv-3065 (S.D.N.Y.); and

Whereas, The same Sugrue State-Court Action was separately removed by the remaining defendants in the State-Court Action on or about March 26, 2008 thereby commencing *Krys, et al. v. Sugrue, et al.*, No. 08-cv-3086 (S.D.N.Y.); and

Whereas, The Sugrue Actions are identical with respect to the claims and defenses asserted therein and parties thereto; and

Whereas, Consolidation is appropriate to aid in the efficient administration of the Sugrue Actions in both the District Court and in the Second Circuit Court of Appeals if and when notices of appeal are filed after entry of final judgments in the District Court; and

Whereas, Consolidation should be implemented in the manner most appropriate to the Clerk's administration of the MDL proceeding;

Therefore, it is hereby ORDERED that the Sugrue Actions shall be consolidated in a manner most appropriate to the Clerk's administration of the MDL proceeding.

SO ORDERED

Dated: Coconut Grove (a/k/a Miami, FL)
 August 17, 2012



RONALD J. HEDGES
Special Master